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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BORIS SHERMAN,

Plaintiff,

v.

Department of Homeland Security, MICHAEL  
CHERTOFF, Secretary; United States Citizenship  
and Immigration Services, EMILIO T.  
GONZALEZ, Director; United States Citizenship  
and Immigration Services, ROSEMARY  
MELVILLE, District Director; U.S. Attorney  
General, ALBERTO GONZALES; Federal  
Bureau of Investigation, ROBERT S. MUELLER,  
III, Director,

Defendants.

No. C 07-3282 JW

**STIPULATION TO DISMISS AND  
[PROPOSED] ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate plaintiff's application for naturalization and agrees to adjudicate such application within 30 days of the dismissal of this action.

Each of the parties shall bear their own costs and fees.

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Stipulation to Dismiss  
C07-3282 JW

1 Dated: August 27, 2007

Respectfully submitted,

2 SCOTT N. SCHOOLS  
3 United States Attorney

4 /s/  
5 EDWARD A. OLSEN  
6 Assistant United States Attorney  
7 Attorneys for Defendants


8 Dated: August 24, 2007

9 /s/  
10 MONICA KANE  
11 Attorney for Plaintiff

12 **ORDER**

13 Pursuant to stipulation, IT IS SO ORDERED.

14 Dated: August 28, 2007

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16 JAMES WARE  
17 United States District Judge